

30

To: "Jenny Huang" <jenhuang@google.com>  
 From: "Heather Gillette" <hgillette@google.com>  
 Cc:  
 Bcc:  
 Received Date: 2007-03-05 16:47:16 CST  
 Subject: Re: [#119770185] Content

Jenny,

Don't answer that. Thanks.

Heather

On 3/5/07, Edward Muncey <emuncey@ufc.com> wrote:

>  
 > Thank you Jenny for your efforts.  
 >  
 > Would you be so kind to confirm the average time it takes to remove an  
 > item of content after it has been submitted through the Content  
 > Verification Tool, on the weekends, at night, and during business hours?  
 > I thought it was supposed to be within minutes after submitting  
 > regardless if it's over the weekend or late at night, but I'm noticing  
 > it's not happening that quickly.  
 >  
 > I'm probably causing a headache for you guys when I'm clicking on videos  
 > that I have already submitted for removal, yet have not been pulled down  
 > after a few hours after the original submission. In those cases, I  
 > submit them again; in the event they are the same video that has been  
 > re-uploaded.  
 >  
 > Thank you so much!!  
 >  
 > Edward  
 >  
 >  
 > -----Original Message-----  
 > From: Copyright Service [mailto:copyright@support.youtube.com]  
 > Sent: Monday, March 05, 2007 8:02 AM  
 > To: Edward Muncey  
 > Subject: Re: [#119770185] Content  
 >  
 > Dear Mr. Muncey,  
 >  
 > Thank you very much for your notification, the content has been removed.  
 >  
 > Sincerely,  
 >  
 > Jenny  
 > The YouTube Team  
 >  
 > Original Message Follows:  
 > -----  
 > From: "Edward Muncey" <emuncey@ufc.com>  
 > Subject: RE: [#119770185] Content  
 > Date: Sun, 4 Mar 2007 19:45:46 -0800  
 >

DATE: 8-12-08 EXHIBIT# 13  
 DEPONENT: GILLETTE, HEATHER

CASE: Viacom, et al., v. YouTube, et al., The Football  
 Association Premier League, et al., v. YouTube, et al.,  
 Case Nos. 07-CV-2203 and 07-CV-3582  
 A. Ignacio Howard, CLR, RPR, CSR No. 9830

>  
 > Hello Jenny (Copyright Infringement Team),  
 >  
 > I submitted the videos listed below for removal through the Content  
 > Verification tool more than an hour ago. The videos are still up on  
 > your site. I'm sending you this email in an effort to request that your  
 > Team expedite the removal of the videos from your website as the videos  
 > are infringing on our copyrights.

>  
 >  
 > Tim Sylvia burps  
 > <http://www.youtube.com/watch?v=5C9YeZ-nLOE>  
 >  
 > UFC 68 Randy Couture vs. Tim Sylvia United Fighting Champion  
 > [http://www.youtube.com/watch?v=o7IzH\\_Ba7wA](http://www.youtube.com/watch?v=o7IzH_Ba7wA)  
 >  
 > Couture, 43, beats Sylvia for heavyweight title part 2  
 > <http://www.youtube.com/watch?v=QE7AhAmZ9TE>  
 >  
 > Randy Couture vs Tim Sylvia  
 > <http://www.youtube.com/watch?v=5oSalQZq9AU>  
 >  
 > sick ufc fight  
 > <http://www.youtube.com/watch?v=wHRP1PxHXAE>  
 >  
 > tim sylvia vs randy catoure  
 > <http://www.youtube.com/watch?v=cM6XKpolnOo>  
 >  
 > Couture, 43, beats Sylvia for heavyweight title part 1  
 > <http://www.youtube.com/watch?v=Up52rR1KwAE>  
 >  
 >

> I expect there will be more videos uploaded this evening and into the  
 > night. I will continue to use the verification tool to request that you  
 > remove the videos that are infringing on our copyrights.

> Thank you in advance for your assistance.

>  
 > Edward Muncey  
 > VP, New Media & Technology  
 > Zuffa, LLC  
 > Ultimate Fighting Championship  
 > P: (702) 221-4760  
 > [emunceyW@ufc.com](mailto:emunceyW@ufc.com)

> -----Original Message-----

> From: Copyright Service [<mailto:copyright@support.youtube.com>]  
 > Sent: Sunday, March 04, 2007 1:48 PM  
 > To: Edward Muncey  
 > Subject: Re: [#119770185] Content

> Dear Mr. Muncey,

> Thank you very much for your notification, the content has been removed.

> Sincerely,

>  
> Jenny  
> The YouTube Team  
>  
> Original Message Follows:  
> -----  
> From: "Edward Muncey" <emuncey@ufc.com>  
> Subject: RE: [#119770185] Content  
> Date: Sun, 4 Mar 2007 11:52:37 -0800  
>  
> Hello Jenny and thank you for your email.  
>  
> We have filled out all of the necessary paperwork, over a year ago, to  
> have content removed that is infringing on our copyrights. Therefore,  
> you should have been able to process my requests for removal. We  
> typically utilize the Content Verification Tool, but as noted in a  
> separate email to very early this morning, your tool was not working  
> appropriately. Therefore, I took the extra step to outline the  
> infringing videos in an email with the URL and the title and five hours  
> later, the content is still live on your website.  
>  
> With every one of our events, like clock work, we submit our videos to  
> you through the Content Verification tool and I have been submitting  
> them to Ms. Gillette to help expedite the removal. I even call her  
> directly on Sundays to have the content removed and she has been  
> gracious enough to take my call and help the content to be removed  
> immediately. I understand Ms. Gillette is out of the country. In her  
> absence, I ask that you pull down the infringing content that I have  
> identified, and will continue to identify through the day.  
>  
> I see that the Content Verification Tool is now up and running. I have  
> re-submitted all of the videos that are infringing on our content and  
> once again, I ask that you remove them videos immediately from your  
> website.  
>  
> I'm certain you can understand our frustration, knowing we shouldn't  
> have to be spending time taking down content from your website that is  
> infringing on our content. Assuming you know how much money we spend  
> with your company, I ask that you filter out the infringing content  
> before it is posted.  
>  
> Thank you,  
>  
> Edward Muncey  
> VP, New Media & Technology  
> Zuffa, LLC  
> Ultimate Fighting Championship(r)  
> P: (702) 221-4760  
> emuncey@ufc.com  
>  
>  
>  
>  
> -----Original Message-----  
> From: Copyright Service [mailto:copyright@support.youtube.com]  
> Sent: Sunday, March 04, 2007 10:29 AM  
> To: Edward Muncey  
> Cc: Heather Gillette

> Subject: Re: [#119770185] Content

>

> Dear Mr. Muncey,

>

> We received your copyright complaint dated 3/3/2007. However, we weren't  
> able to process your complaint because the information provided was  
> incomplete.

>

> To file a notice of infringement with us, you must provide a written  
> communication that sets forth the items specified below. To expedite our  
> ability to process your request, please use the following format  
> (including section numbers):

>

> 1. Identify in sufficient detail the copyrighted work that you believe  
> has  
> been infringed upon, including the owner of the work. For example, "The  
> copyrighted work at issue is the video titled 'My Video' produced by  
> me."

>

> 2. Identify the material that you claim is infringing the copyrighted  
> work  
> listed in item #1 above.

>

> YOU MUST IDENTIFY EACH VIDEO THAT ALLEGEDLY CONTAINS INFRINGING  
> MATERIAL.

> This requires you to specify the URL of the playback page for that video  
> (like this: [http://www.youtube.com/watch?v=QCVxQ\\_3Ejkg](http://www.youtube.com/watch?v=QCVxQ_3Ejkg)).

>

> PROVIDING URL LINKS IN THE BODY OF AN EMAIL IS THE BEST WAY TO HELP US  
> LOCATE CONTENT QUICKLY. Sending a fax, .jpg, .tif or .pdf copy of your  
> URL identification may delay the processing of your claim if we are  
> unable  
> to differentiate the scanned characters, which will require your  
> confirmation.

>

> If there are many URLs to be removed, we encourage you to sign up for  
> our  
> Content Verification Program at:  
> [http://www.youtube.com/t/copyright\\_program](http://www.youtube.com/t/copyright_program)

>

> YouTube's Content Verification Program provides an easy-to-use interface  
> where content owners may request removal of allegedly infringing content  
> by simply checking a box. After you have submitted a short, one page  
> form  
> in order to verify your identity, this system automatically provides the  
> proper DMCA notification that we need in order to remove your content.  
> This is the fastest way to ensure removal of content from the site - 24  
> hours a day, 365 days a year.

>

> 3. Provide information reasonably sufficient to permit YouTube to  
> contact  
> you (email address is preferred).

>

> 4. Include the following statement: "I have a good faith belief that use  
> of the copyrighted materials described above on the allegedly infringing  
> web pages is not authorized by the copyright owner, its agent, or the  
> law."

>

- > 5. Include the following statement: "I swear, under penalty of perjury,
- > that the information in the notification is accurate and that I am the
- > copyright owner or am authorized to act on behalf of the owner of an
- > exclusive right that is allegedly infringed."
- >
- > 6. Provide a physical or electronic signature.
- >
- > Send the written communication to YouTube:
- >
- > Email: copyright@youtube.com
- >
- > EMAIL IS OUR PREFERRED METHOD OF CONTACT
- >
- > You may simply respond to this email with all of the requested
- > information
- > in order to expedite the processing of your claim.
- >
- > OR
- >
- > DMCA Complaints
- > YouTube, Inc.
- > 1000 Cherry Ave.
- > Second Floor
- > San Bruno, CA 94066
- >
- > OR
- >
- > fax: 650.872.8513, Attn: YouTube Legal Support, DMCA Complaints.
- >
- > Sincerely,
- >
- > Jenny
- > The YouTube Team
- >
- > Original Message Follows:
- > -----
- > From: "Edward Muncey" <emuncey@ufc.com>
- > Subject: Content
- > Date: Sat, 3 Mar 2007 22:32:13 -0800
- >
- > Good evening Heather.
- >
- >
- >
- > I wanted to go give you a heads up.
- >
- >
- >
- > I'm expecting that there will a number of unauthorized videos of our
- > event held this evening, posted on Youtube tonight and tomorrow. I will
- > be emailing you the URL's and I will follow up with a call, requesting
- > that you pull the videos down immediately; unless you confirm receipt
- > with a reply email first.
- >
- >
- >
- > On a side note, I've heard rumors that you have a new system that can
- > identify the unauthorized videos before they are posted and not allow

> them to live on your website. Would you be able to implement that  
> technology for us, so that we don't have to spend time emailing URL's?  
>  
>  
>  
> Thank you in advance.  
>  
>  
>  
> Edward Muncey  
> VP, New Media & Technology  
> Zuffa, LLC  
>  
> Ultimate Fighting Championship(r)  
>  
> P: (702) 221-4760  
>  
> emuncey@ufc.com  
>  
>  
>  
>  
>  
> UFC 68 on Pay-Per-View and Streamed LIVE World-wide on UFC ON DEMAND  
> <<http://video.ufc.com/content.aspx?cbid=9131&bhop=1>> !  
>  
> Saturday, March 3rd \* 10PM ET / 7PM PT  
>  
>

---